

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

*In Re: Methyl Tertiary Butyl Ether (“MTBE”)
Products Liability Litigation*

This document relates to:

*Commonwealth of Puerto Rico v.
Shell Oil, et al.,
USDC-SDNY Civ. No. 07-10470(VSB)
USDC-PR Civ. No. 07-01505 (CCC)*

*Commonwealth of Puerto Rico v.
Shell Oil, et al.,
USDC-SDNY Civ. No. 14-01014 (VSB)
USDC-PR Civ. No. 13-01678 (ADC)*

Master File No. 1:00 – 1898
MDL 1358 (VSB)
M21-88

Civil Action

JOINT MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE
UNDER FED. R. CIV. P. 41(A)(2) AS TO CHEVRON PHILLIPS CHEMICAL PUERTO
RICO CORE LLC, AND CONOCOPHILLIPS COMPANY

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff, the Commonwealth of Puerto Rico and the Commonwealth of Puerto Rico through the Puerto Rico Environmental Quality Board (“Plaintiff”), and defendants Chevron Phillips Chemical Puerto Rico Core LLC (formerly known as Chevron Phillips Chemical Puerto Rico Core, Inc.) and ConocoPhillips Company (collectively the “Core Defendants”, and together with Plaintiff “the Parties”) request the Court to enter an agreed stipulated Order dismissing with prejudice all claims against the Core Defendants.

WHEREAS, The Core Defendants were served with process in the cases No. 07-cv-01505 (CCC) (“Puerto Rico 1”) and Case No. 13-cv-01678 (ADC) (“Puerto Rico 2”) initially filed in the United States District Court for the District of Puerto Rico, which were consolidated in MDL 1358 in the United States District Court for the Southern District of New York, Civil Case Nos. 07-Civ-10470(VSB) and 14-01014 (VSB) (hereafter referred to as “the Litigation”).

WHEREAS, the CORE defendants served answers in the Litigation.

WHEREAS, The Parties have agreed to the dismissal *with prejudice* of the Core Defendants from the Litigation. The Parties have agreed that each shall bear their own costs, expenses, and attorney fees.

WHEREFORE, the Parties request this Court to enter the proposed stipulated Order of Dismissal with Prejudice under Rule 41(a)(2) of the Federal Rules of Civil Procedure, costs and expenses to be borne by the party incurring them.

RESPECTFULLY SUBMITTED.

In New York, New York, this 2nd day of May, 2022.

Attorneys for Plaintiff The Commonwealth of Puerto Rico

DOMINGO EMANUELLI HERNÁNDEZ
Secretary of Justice

SUSANA I. PEÑAGARÍCANO-BROWN
Deputy Secretary in Charge of Litigation
Department of Justice of Puerto Rico

Attorneys for the Core Defendants

s/ Stephen C. Dillard
NORTON ROSE FULBRIGHT US LLP
1301 McKinney Street, Suite 5100
Houston, Texas 77010
Tel.: 713-651-5151
Email:
Steve.dillard@nortonrosefulbright.com

s/ John K. Dema

LAW OFFICES OF JOHN K. DEMA, P.C.
1236 Strand Street, Suite 103
Christiansted, St. Croix
U.S. Virgin Islands 00820-5008
Tel. 340-773-6142, Fax 340-773-3944
Email: jdemalaw.com

s/ Orlando H. Martínez Echeverría

ORLANDO H. MARTINEZ ECHEVERRIA
LAW OFFICE
Centro De Seguros Bldg., Suite 413
701 Ponce de Leon Avenue
San Juan, P.R. 00907
Telephone (787) 722-2378
E-Mail : omartinez@martinezlaw.org